

AMENDED IN ASSEMBLY APRIL 17, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2614

Introduced by Assembly Member Lieber

February 24, 2006

~~An act to amend Section 14660 of the Government Code, relating to surplus property. An act to add Section 4474.4 to the Welfare and Institutions Code, relating to developmental services.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2614, as amended, Lieber. ~~State government: surplus property. Agnews Developmental Center: closure.~~

Existing law, the Lanterman Developmental Disabilities Services Act, requires the State Department of Developmental Services to allocate funds to private nonprofit regional centers for the provision of community services and support for persons with developmental disabilities and their families, and sets forth the duties of the regional centers, including, but not limited to, development of individual program plans and the monitoring of services. Existing law requires the department to develop a plan for the proposed closure of any developmental center.

This bill would dedicate the grounds of the Agnews Developmental Center for the purposes of providing community housing and care for eligible consumers and their families. The bill would prohibit the grounds from being sold, leased, declared surplus, or otherwise disposed of without subsequent express statutory authority, through an act other than the Budget Act. The bill would declare the intent of the Legislature to investigate the removal of the health facility and the use of the grounds to develop other living arrangements, including,

but not limited to, various forms of community housing arrangements, and would require the department to establish a related advisory group.

~~Existing law provides that the Director of General Services may acquire title to real property in the name of the state whenever the acquisition of real property is authorized or contemplated by law, if no other state agency is specifically authorized and directed to acquire it, subject to specified limitations.~~

~~This bill would require the Director of General Services to notify the Legislature prior to taking any action regarding any surplus property received on behalf of the state.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 4474.4 is added to the Welfare and
- 2 Institutions Code, to read:
- 3 4474.4. (a) The grounds, facilities, and structures that
- 4 constitute the Agnews Developmental Center are hereby
- 5 dedicated for the purposes of providing community housing and
- 6 care for consumers with developmental disabilities and their
- 7 families.
- 8 (b) After the removal of the residents from the health facility
- 9 that is Agnews Developmental Center, and its closure as a health
- 10 facility pursuant to subsequent express statutory authority other
- 11 than the Budget Act, the facility shall not be sold, leased,
- 12 declared surplus, or otherwise disposed of without subsequent
- 13 express statutory authority, through an act other than the Budget
- 14 Act.
- 15 (c) It is the intent of the Legislature to investigate the removal
- 16 of the health facility and the use of the grounds to develop other
- 17 living arrangements for eligible consumers and their families,
- 18 including, but not limited to, various forms of community housing
- 19 arrangements.
- 20 (d) The department shall establish an advisory coalition of
- 21 local stakeholders consisting of family organizations, state and
- 22 local officials, advocacy groups, and other interested persons, to
- 23 provide advice regarding subsequent development of the grounds

1 *of Agnews Developmental Center to meet the community housing*
2 *needs of eligible consumers and their families.*

3 ~~SECTION 1. Section 14660 of the Government Code is~~
4 ~~amended to read:~~

5 ~~14660. (a) The director may acquire title to real property in~~
6 ~~the name of the state whenever the acquisition of real property is~~
7 ~~authorized or contemplated by law, if no other state agency is~~
8 ~~specifically authorized and directed to acquire it. However, after~~
9 ~~January 1, 1980, if the property is to be constructed, purchased,~~
10 ~~or leased, or any interest is acquired in the property, for a period~~
11 ~~of five years firm term or more, and the property is located in a~~
12 ~~standard metropolitan statistical area (SMSA) with a population~~
13 ~~of 250,000 or more according to the most recent decennial~~
14 ~~census, which is served by a public transit operator, as defined in~~
15 ~~Section 99210 of the Public Utilities Code, and is not located~~
16 ~~within a public transit corridor, as defined in Section 50093.5 of~~
17 ~~the Health and Safety Code, the property shall be subject to the~~
18 ~~determination required in Section 15808.1.~~

19 ~~For purposes of this section, “construction” does not include~~
20 ~~repair or furnishing.~~

21 ~~(b) Prior to taking any action regarding any surplus property~~
22 ~~received by the Department of General Services on behalf of the~~
23 ~~state, the director shall first notify the Legislature.~~